

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

ROBERT CULLEN,

On Behalf of Himself and All Others Similarly Situated,

Plaintiff,

V.

ZOOM VIDEO COMMUNICATIONS, INC.,

Defendant.

Case No. 5:20-cv-02155-LHK-SVK

SAMUEL TAYLOR,

*On Behalf of Himself and All Others Similarly
Situated,*

Plaintiff.

V.

ZOOM VIDEO COMMUNICATIONS, INC.

Defendant.

Case No. 3:20-cv-02170-RS

LISA T. JOHNSTON,

*On Behalf of Herself and All Others Similarly
Situated,*

Plaintiff.

V.

ZOOM VIDEO COMMUNICATIONS, INC.

Defendant:

Case No. 5:20-cv-02376-SVK

1 TESHA KONDRAT, GAVIN WOLFE, and
2 CHANELLE MURPHY,
3

*Individually and On Behalf of All Others
Similarly Situated,*

4 Plaintiffs,
5
6 ZOOM VIDEO COMMUNICATIONS, INC.,
7 Defendants.

Case No. 5:20-cv-02520-NC

8 ROBERT LAWTON,
9

*On Behalf of Himself and All Others Similarly
Situated,*

10 Plaintiff,
11
12 v.
13 ZOOM VIDEO COMMUNICATIONS, INC.,
14 Defendant.

Case No. 3:20-cv-02592-SK

15 THERESE JIMENEZ,
16

*On Behalf of Herself, Her Minor Child M.F.,
and All Others Similarly Situated,*

17 Plaintiff,
18
19 v.
20 ZOOM VIDEO COMMUNICATIONS, INC.,
21 Defendant.

Case No. 5:20-cv-02591-LHK

1 KRISTEN HARTMANN,
2 *On Behalf of Herself and All Others Similarly
Situated,*
3 Plaintiff,
4 v.
5 ZOOM VIDEO COMMUNICATIONS, INC.,
6 Defendant.

Case No. 5:20-cv-02620-NC

8 LISHOMWA HENRY,
9 *Individually and All Others Similarly Situated,*
10 Plaintiff,
11 v.
12 ZOOM VIDEO COMMUNICATIONS, INC.,
13 Defendant.

Case No. 5:20-cv-02691-SVK

14 **STIPULATION**

15 The parties in the eight above-referenced cases, by and through their counsel of record, hereby
16 stipulate as follows:

17 1. WHEREAS, Plaintiff in the action entitled *Cullen v. Zoom Video Communications,*
18 *Inc.*, Case No. 5:20-cv-02155-LHK-SVK (“*Cullen*”) filed his Complaint on March 30, 2020;

20 2. WHEREAS, Plaintiff in the action entitled *Taylor v. Zoom Video Communications,*
21 *Inc.*, Case No. 3:20-cv-02170-RS (“*Taylor*”) filed his Complaint on March 31, 2020;

22 3. WHEREAS, Plaintiff in the action entitled *Johnston v. Zoom Video Communications,*
23 *Inc.*, Case No. 5:20-cv-02376-SVK (“*Johnston*”) filed his Complaint on April 8, 2020;

24 4. WHEREAS, Plaintiff in the action entitled *Kondrat, et al. v. Zoom Video*
25 *Communications, Inc.*, Case No 5:20-cv-02520-NC (“*Kondrat*”) filed her Complaint on April 13,
26 2020;

1 5. WHEREAS, Plaintiff in the action entitled *Lawton v. Zoom Video Communications, Inc.*, Case No. 3:20-cv-02592-SK (“*Lawton*”) filed his Complaint on April 14, 2020;

2 6. WHEREAS, Plaintiff in the action entitled *Jimenez v. Zoom Video Communications, Inc.*, Case No. 5:20-cv-02591-LHK (“*Jimenez*”) filed his Complaint on April 14, 2020;

3 7. WHEREAS, Plaintiff in the action entitled *Hartmann v. Zoom Video Communications, Inc.*, Case No. 5:20-cv-02620-NC (“*Hartmann*”) filed her Complaint on April 15, 2020;

4 8. WHEREAS, Plaintiff in the action entitled *Henry v. Zoom Video Communications, Inc.*, Case No. Case No. 5:20-cv-02691-SVK (“*Henry*”) filed his Complaint on April 17, 2020;

5 9. WHEREAS, on April 8, 2020, Plaintiff in the *Cullen* action filed a Notice of Related Case and Administrative Motion requesting the Court to determine that the *Taylor* action was related to the *Cullen* action under Local Rule 3-12(a).

6 10. WHEREAS, on April 23, 2020, Plaintiff in the *Cullen* action filed an Amended Notice of Related Cases and Administrative Motion to Consider Whether Cases Should Be Related; Notice of Pendency of Other Actions, requesting the Court to determine that the *Taylor*, *Johnston*, *Kondrat*, *Lawton*, *Jimenez*, *Hartman*, and *Henry* actions are related to the *Cullen* action under Local Rule 3-12(a);

7 11. WHEREAS, the parties have now agreed that the eight actions should be deemed “related” pursuant to Local Rule 3-12(a), and transferred to this Court, as set forth in the Amended Administrative Motion because (a) the eight actions concern substantially the same defendant, property, transactions or events; and (b) it appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges;

8 12. WHEREAS, the parties agree that once the *Taylor*, *Johnston*, *Kondrat*, *Lawton*, *Jimenez*, *Hartman*, and *Henry* actions are deemed related to the *Cullen* action, they should all be transferred and reassigned (if not already assigned) to the Honorable Lucy H. Koh for all purposes;

NOW, THEREFORE, the parties in the *Cullen, Taylor, Johnston, Kondrat, Lawton, Jimenez, Hartman*, and *Henry* actions request that the Court order as follows:

- A. That the *Taylor*, *Johnston*, *Kondrat*, *Lawton*, *Jimenez*, *Hartman*, and *Henry* actions be deemed related to the *Cullen* Action, because:
 - a. the actions concern substantially the same parties, property, transaction or event; and
 - b. it appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges.
 - B. That the *Taylor*, *Johnston*, *Kondrat*, *Lawton*, *Hartman*, and *Henry* actions be transferred and reassigned to the Honorable Lucy H. Koh for all purposes.

IT IS SO STIPULATED

Dated: April 23, 2020

Respectfully submitted,

/s/ Mark J. Tamblyn
Mark J. Tamblyn (SBN 179272)
WEXLER WALLACE LLP
333 University Avenue, Suite 200
Sacramento, California 95825
Telephone: (916) 565-7692
Facsimile: (312) 346-0022
mjt@wexlerwallace.com

Kenneth A. Wexler (*pro hac vice*)
Jason J. Keener (*pro hac vice*)
WEXLER WALLACE LLP
55 West Monroe, Suite 3300
Chicago, Illinois 60603
Telephone: (312) 346-2222
Facsimile: (312) 346-0022
kaw@wexlerwallace.com
jik@wexlerwallace.com

Daniel E. Gustafson*
David A. Goodwin*
Ling S. Wang*
GUSTAFSON GLUEK PLLC

1 Canadian Pacific Plaza
2 120 South Sixth Street, Suite 2600
3 Minneapolis, MN 55402
4 Telephone: (612) 333-8844
dgeschke@gustafsongluek.com
dgoodwin@gustafsongluek.com
lwang@gustafsongluek.com

5 ***Attorneys for Plaintiff Cullen and the
6 Proposed Class***

7 /s/ Hassan A. Zavareei
8 Hassan A. Zavareei (State Bar No. 181547)
9 Katherine M. Aizpuru (*pro hac vice*)
Mark A. Clifford*
10 **TYCKO & ZAVAREEI LLP**
11 1828 L Street NW, Suite 1000
12 Washington, D.C. 20036
Telephone: (202) 973-0900
Facsimile: (202) 973-0950
hzavareei@tzlegal.com
kaizpuru@tzlegal.com
mclifford@tzlegal.com

15 Annick M. Persinger (State Bar No. 272996)
16 **TYCKO & ZAVAREEI LLP**
17 1970 Broadway, Suite 1070
18 Oakland, CA 94612
Telephone: (510) 254-6807
Facsimile: (202) 973-0950
apersinger@tzlegal.com

19 ***Attorneys for Plaintiff Taylor and the
20 Proposed Class***

21 /s/ Francis A. Bottini, Jr.
22 Francis A. Bottini, Jr. (SBN 179272)
Albert Y. Chang (SBN 296065)
YuryA. Kolesnikov (SBN 271173)
23 **BOTTINI & BOTTINI, INC.**
7817 Ivanhoe Avenue, Suite 102
La Jolla, California 92037
Telephone: (858) 914-2001
Facsimile: (858) 914-2002
fbottini@bottinilaw.com
achang@bottinilaw.com
ykolesnikov@bottinilaw.com

Mark C. Molumphy (SBN 168009)
Tyson Redenbarger (SBN 294424)
Anya N. Thepot (SBN 3184300)
COTCHETT, PITRE & McCARTHY, LLP
San Francisco Airport Office Center
840 Malcolm Road, Suite 200
Burlingame, California 94010
Telephone: (650) 697-6000
Facsimile: (650) 697-0577
mmolumphy@cpmlegal.com
tredenbarger@cpmlegal.com
athepot@cpmlegal.com

***Attorneys for Plaintiff Johnston and the
Proposed Class***

/s/ Norman E. Siegel
Norman E. Siegel (*pro hac vice*)
J. Austin Moore (*pro hac vice*)
STUEVE SIEGEL HANSON LLP
460 Nichols Road, Suite 200
Kansas City, Missouri 64112
Telephone: (816) 714-7100
siegel@stuevesiegel.com
moore@stuevesiegel.com

Jason S. Hartley (SBN 192514)
HARTLEY LLP
101 West Broadway, Suite 820
San Diego, California 92101
Telephone: (619) 400-5822
hartley@hartleyllp.com

Attorneys for Plaintiffs Kondrat, et al. and the Proposed Class

/s/ Seth A. Safier
Adam J. Gutride (SBN 181446)
Seth A. Safier (SBN 197427)
Marie A. McCrary (SBN 262670)
GUTRIDE SAFIER LLP
100 Pine Street, Suite 1250
San Francisco, California 94111
Telephone: (415) 271-6469
Facsimile: (415) 449-6469
adam@gutridesafier.com

1 seth@gutridesafier.com
2 marie@gutridesafier.com

3 *Attorneys for Plaintiff Lawton and the
4 Proposed Class*

5 /s/ Tina Wolfson
6 Tina Wolfson (SBN 174806)
7 Theodore Maya (SBN 223242)
8 Bradley K. King (SBN 274300)
9 Christopher E. Stiner (SBN 276033)
10 **AHDOT & WOLFSON, PC**
11 10728 Landbrook Drive
12 Los Angeles, California 90024
13 Telephone: (310) 474-9111
14 Facsimile: (310) 474-8585
15 twolfson@ahdotwolfson.com
16 tmaya@ahdotwolfson.com
17 bkng@ahdotwolfson.com
18 cstiner@ahdotwolfson.com

19 *Attorneys for Plaintiff Jimenez and the
20 Proposed Class*

21 /s/ Rachele R. Byrd
22 Rachele R. Byrd (SBN 190634)
23 Brittany N. DeJong (SBN 258766)
24 **WOLF HALDENSTEIN ADLER**
25 **FREEMAN & HERZ LLP**
26 750 B Street, Suite 1820
27 San Diego, California 92101
28 Telephone: (619) 239-4599
 Facsimile: (619) 234-4599
 byrd@whafh.com
 dejong@whafh.com

Matthew M Guiney*
Lydia Keaney Reynolds*
WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP
270 Madison Avenue
New York, New York 10016
Telephone: (212) 545-4600
Facsimile: (212) 545-4677
guiney@whafh.com
reynolds@whafh.com

Carl Malmstrom*
WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP
111 W. Jackson St., Suite 1700
Chicago, Illinois 60604
Telephone: (312) 984-0000
Facsimile: (212) 545-4653
malmstrom@whafh.com

**Attorneys for Plaintiff Hartmann and the
Proposed Class**

/s/ Willem F. Johnckheer
Robert C. Schubert (SBN 62684)
Willem F. Jonckheer (SBN 178748)
Noah M. Schubert (SBN 278696)
Kathryn Y. McCauley (SBN 265803)
SCHUBERT JONCKHEER & KOLBE LLP
Three Embarcadero Center, Suite 1650
San Francisco, California 94111
Telephone: (415) 788-4220
Facsimile: (415) 788-0161
rschubert@sjk.law
wjonckheer@sjk.law
nschubert@sjk.law
kmccauley@sjk.law

Christian Levis*
Henry Kusjanovic*
Amanda Fiorilla*
LOWEY DANNENBERG, P.C.
44 South Broadway, Suite 1100
White Plains, New York 10601
Telephone: (914) 997-0500
Facsimile: (914) 997-0035
clevis@lowey.com
hkusjanovic@lowey.com
afiorilla@lowey.com

Anthony M. Christina*
LOWEY DANNENBERG, P.C.
One Tower Bridge
100 Front Street, Suite 520
West Conshohocken, Pennsylvania 19428
Telephone: (215) 399-4770
Facsimile: (914) 997-0035
achristina@lowey.com

*Attorneys for Plaintiff Henry and the
Proposed Class*

**pro hac vice* applications forthcoming

/s/ Michael G. Rhodes

Michael G. Rhodes (SBN 116127)

Travis LeBlanc (SBN 251097)

Kathleen R. Hartnett (SBN 314267)

Danielle C. Pierre (SBN 300567)

Joseph D. Mornin (SBN 307766)

Evan G. Slovak (SBN 319409)

COOLEY LLP

101 California Street, 5th Floor

101 California Street, San Francisco, California 94111

San Francisco, California
Telephone: (415) 693-200

Facsimile: (415) 693 2222

Faxsimile: (415) 895-22

tleblanc@cooley.com

tieblane@cooley.com
khartnett@cooley.com

dnierre@cooley.com

uplene@cooley.com
imornin@cooley.com

jimohm@cooley.com
eslovak@cooley.com

esilovak@cooley.com

Attorneys for Defendant Zoom Video Communications, Inc.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

Date: April 24, 2020

Lucy H. Koh
Hon. Lucy H. Koh
United States District Judge